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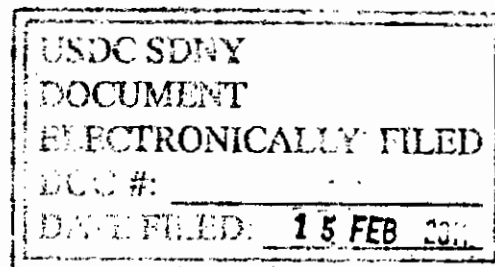
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February 14, 2011

Hon. Laura Taylor Swain
United States District Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007



MEMO ENDORSED

Re: Fasano v. Metropolitan Life Insurance Company, et al., 10 civ 04233 (LTS)(THK)

Dear Judge Swain:

We represent the plaintiff, Michael Fasano in this above-entitled action which seeks payment of disability benefits under an employer sponsored welfare benefits plan. At our pre-trial conference held on October 22, 2010, your Honor issued a pre-trial scheduling order which included, under "Other Matters," the scheduling of an interim pretrial conference on February 18, 2011 at 10:45 a.m. As discussed in Court, the purpose of the conference was for the parties to seek the Court's resolution of anticipated discovery disputes. However, this date is now premature due to our firm having granted defendants several requests for extensions of time for responding to plaintiffs initial interrogatories and document demands, dated December 3, 2011. This initial discovery is now expected to be delivered this week, leaving insufficient time for the parties to determine conflicts which may need the Court's resolution.

Therefore, on behalf of both parties we respectfully request that the conference be re-scheduled from this week to Friday, March 18, 2011.

On another note, we report that the parties did have a settlement conference with the Magistrate as directed and that, since the meeting, discussions have continued directly between the parties.

Sincerely,

A handwritten signature in dark ink, appearing to read "Elizabeth L. Koob".

Elizabeth L. Koob

*The conference is adjourned
to March 18, 2011, at
3:00 pm.*

cc: Michael Bernstein, Esq.
By Facsimile: (212) 422-0925

SO ORDERED.

NEW YORK, NY

Feb 14, 2011

A handwritten signature in dark ink, appearing to read "Laura Taylor Swain".
LAURA TAYLOR SWAIN

UNITED STATES DISTRICT JUDGE